THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21077 of 2006

11.10.2006

Between:

K.KARUNA SAGAR, S/o.K.S.Ramachandra

…Petitioner

and

The General Manager, District Industries Centre,
Department of Industries, Government of Andhra Pradesh,
Chittoor and others

…Respondent s

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.21077 of 2006

ORDER:

The petitioner is proprietor of M/s.Dhanalaxmi Aqua Products. He has set up a Small Scale Industry (SSI) for manufacturing packaged drinking water. He also made an application to the second respondent on 18.8.2006 seeking Bureau of Indian Standards (BIS) certificate. The application is pending. In the meanwhile, it is alleged that the first respondent is taking steps to cancel the SSI registration. Therefore, he filed the present writ petition seeking a direction to the respondents not to cancel the SSI registration and not to stop the business of the petitioner.

Learned Counsel for the petitioner submits that when there was a threat of disconnection of power supply, the petitioner and another filed a writ petition being W.P.No.17837 of 2006 before this Court and that this Court passed orders on 28.8.2006 directing the respondents not to interfere with the business of the petitioner for a period of six weeks. He also submits that the petitioner has given time to obtain BIS certificate within six weeks. According to the petitioner, as the application made by the petitioner is pending before the second respondent, the respondents cannot disconnect the power supply or cancel SSI registration. Learned Assistant Government Pleader for Industries opposed the writ petition as premature and not maintainable.

The petitioner along with another filed W.P.No.17837 of 2006. This Court granted six-weeks time to the petitioner to obtain BIS certificate. Therefore, after expiry of the period of six weeks, if the first

respondent takes any action preventing the petitioner from manufacturing packaged drinking water with BIS certification, it cannot be treated as illegal. Further, as rightly pointed out by the learned Assistant Government Pleader, the writ petition is filed on a mere apprehension. The remedy of the petitioner lies in pursuing the matter with the second respondent to whom the petitioner allegedly made application on 18.8.2006 for BIS certificate.

The writ petition is misconceived and is accordingly dismissed. No costs.

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October 11, 2006 (**V.V.S.RAO, J**)

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